

**REMARKS**

Claim 1 has been amended to incorporate the subject matter of Claim 6. Claim 6 has been canceled. Claim 7 has been amended to more clearly define the subject matter which Applicants regard as the invention. Claim 10 has been amended to correct an antecedent basis issue. Upon entry of this Amendment, which is respectfully requested, Claims 1, 3-5 and 7-13 and 15 will be pending.

**Statement of Substance of Interview**

Applicants thank the Examiner for granting the telephone interview on September 1, 2009, wherein Applicants' representative requested clarification of the Examiner's position discussed at page 10 of the Office Action dated June 9, 2009 (i.e., the Examiner's description of 85 parts silica and 0 parts carbon black as suggested by Europe 561 and 60 parts silica and 20 parts carbon black as suggested by Europe 613).

**Response to Claim Rejections Under § 112**

Claims 10, 12, 13 and 15 have been rejected under 35 U.S.C. §112, second paragraph, as being indefinite.

Claim 10 has been amended, replacing the phrase "the whole fillers" with "the total amount of filler." Thus, Claim 10 meets all of the requirements of §112. Accordingly, withdrawal of the rejection is respectfully requested.

**Response to Claim Rejections Under § 103**

(A) Claims 1, 3-9 and 11 are rejected under 35 U.S.C. § 103(a) as being unpatentable over EP '561 (EP 1179561) in view of U.S. Patent Application Publication No. 2002/0049294 to Shiina and optionally EP '613 (EP 738613).



(B) Claims 10, 12 and 13 are rejected under 35 U.S.C. § 103(a) as being unpatentable over EP '561 in view of at least one of JP '748 (JP 09-208748) and U.S. Patent No. 3,927,144 to Hayashi et al and optionally further in view of EP '613.

(C) Claim 15 is rejected under 35 U.S.C. §103(a) as being unpatentable over EP '561 in view of at least one of JP '748 and Hayashi and optionally further in view of EP '613 as applied above and further in view of U.S. Patent Application Publication No. 2002/0045697 to Sohnen et al.

Applicants respectfully traverse.

Applicants submit herewith a second Declaration by Mr. Mamiya demonstrating that the present invention, as defined by present Claim 1, achieves a perfect balance among improved processability of non-vulcanized rubber compositions, a heat build-up property and an abrasion resistance which would not have been obvious from the art.

More particularly, as shown in the Table in the Mr. Mamiya's second Declaration, additional Examples A and B, containing natural rubber as the rubber component and 50 mass parts of silica according to the present invention, achieve lower Mooney viscosities (a low Mooney viscosity improves processability of a non-vulcanized rubber composition) and excellent heat build-up properties as compared to additional Comparative Examples A to D, while maintaining the same abrasion resistances as those of additional Comparative Examples A to E.

In addition, Applicants submit herewith a second Declaration by Mr. Nakamura demonstrating that the present invention, as defined by present Claim 10, provides unexpectedly superior results.

More particularly, the Table in Mr. Nakamura's second Declaration shows that additional Examples C and D, containing oil extended styrene-butadiene copolymer as the rubber



component and 60 mass parts of silica according to the present invention, achieve low Mooney viscosities as compared to additional Comparative Examples E, G and H. Further, the driving stability, wet gripping properties and abrasion resistance of additional Examples C and D are the same or better than additional Comparative Examples E, G and H.

In addition, as shown in the Table, additional Examples C and D have excellent driving stability and wet gripping properties as compared to additional Comparative Example F, while maintaining essentially the same Moony viscosity and abrasion resistance as additional Comparative Example F.

Accordingly, Applicants respectfully submit that both of the tables in the previous and present Declarations by Mr. Nakamura, demonstrate that Examples 14 and 15, containing 45 mass parts of silica, and Examples C and D, containing 60 mass parts of silica, have improved driving stability and excellent processability (low Mooney) without causing a reduction in the other physical properties of the rubber compositions.

Thus, the cited art fails to render obvious the present claims. Accordingly, withdrawal of the rejections is respectfully requested.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.



The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



Thomas M. Hunter  
Registration No. 64,676

SUGHRUE MION, PLLC  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

WASHINGTON OFFICE

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